

Fiscal Year 2010 Protests

GAO Protests Number	Protestor's Name	Date of Protest	Report Due
B405807.2	Haworth, Inc.	10/20/2011	11/21/2011
B406233	EcoAnalyst, Inc.	12/12/2011	1/11/2012
B406233.2	EcoAnalyst, Inc.	1/3/2012	2/3/2012
B406233.3	EcoAnalyst, Inc.	1/23/2012	2/27/2012
B406556	TL Enterprises, Inc.	3/23/2012	4/25/2012
B406797.2	Cam-Dex Security Corp.	5/31/2012	7/2/2012
B406917.1	Environmental Restoration	6/22/2012	7/25/2012
B407001	Space Concepts, Inc.	7/9/2012	8/9/2012
B407077	RTI International	7/26/2012	8/27/2012
B407280	JOD Enterprises	9/4/2012	10/4/2012
B407447	LOGMET LLC	9/27/2012	10/29/2012

Fiscal Year 2010 Protests

Decision Date	Office or Region
1/30/2012	Region 7 for 10
3/19/2012	CPOD
4/12/2012	CPOD
5/2/2012	CPOD
7/5/2012	Region 7
9/10/2012	Region 7
10/1/2012	Region 9
10/17/2012	Region 7
11/5/2012	Region 5
12/13/2012	Region 1
1/7/2013	Region 6

Fiscal Year 2010 Protests

Summary of Issues
Furniture buy - TEP did not evaluate offers iaw RFQ.
CPOD determined them nonresponsive because they proposed doing 46 1/2% instead of required 50% of work under the Limitation in Subcontracting Clause.
CPOD would have determined them to be nonresponsive because they didn't have an approved accounting system and this was a CR contract. CPOD referred this to SBA for a COC, but SBA denied COC, Company was eliminated from competition and protested.
Supplemental protest. Added that CO did not request Preaward Survey before making nonresponsive determination.
Supplemental protest. Rebuttal of agency report.
Region 7 threw out bid by this company as unreasonably low, didn't provide notification, didn't notify them when award was made, etc.
Region 7 made best value determination and paid twice the price for a technical proposal with one unacceptable.
ERRS - Protestor said that EPA errored in evaluation. They were higher priced and lower technical than awardee, EQM.
Protested that item was not on awardee Tab Products GSA Schedule Contract and did not meet spec and price was too high.
Amended RFQ to reduce number of evaluation criteria factors from 5 to 3 (removed price And QMP and then in debriefing told them that they didn't get award because they failed the QMP pass/fail basis.
Company protested because Region 1 cancelled this FedBid order. RAM called company in CO's absence to inform them that it was a T4C and then they withdrew their protest.
Protested mailroom services and guard services contract based on technical eval (claims we used an unstated eval. Consideration, past performance wasn't scored accurately, price was not an evaluated factor, etc.)

Fiscal Year 2010 Protests

Decision (Sustained, Denied, Dismissed, Withdrawn, Corrective Action (CA) Taken)
Took CA.
GAO Denied on 3/19/12. Did not comply with the LOS Clause and ruled that EPA reasonably eliminated their proposal from the competition.
GAO Denied on 3/19/12.
GAO Denied on 3/19/12.
Was late so dismissed.
Took Corrective Action on 6/6/12. Redid entire procurement.
GAO denied on 9/28/12
GAO dismissed on 7/26/12 as Protester was not an interested party.
Protestor filed motion for reconsideration which was denied on 8/23/12.
Took Corrective Action so GAO dismissed it on 8/2/12.
Protestor withdrew protest on 9/6/12.
Took Corrective Action on 10/4/12, terminated award, cancelled procurement, and will reprocore.